



Statement Under 37 CFR 1.97(e)

Each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or

No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

Statement Under 37 CFR 1.704(d) (Patent Term Adjustment)

Applies to original applications (other than design) filed on or after May 29, 2000

Each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in § 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.

Enclosed herewith is form PTO-1449:

Copies of the cited references are enclosed.

Copies of cited references are enclosed except those entered in prior application, U.S. Application No. [ ], to which priority under 35 U.S.C. 120 is claimed. [The earlier application contains copies of the cited references.]

The listed references were cited in the enclosed International Search Report in a counterpart foreign application.

The "concise explanation" requirement (non-English references) for reference(s) [ ] under 37 CFR 1.98(a)(3) is satisfied by:

- the explanation provided on the attached sheet.
- the explanation provided in the Specification.
- submission of the enclosed International Search Report.
- submission of the enclosed English-language version of a foreign Search Report and/or foreign Office Action.
- the enclosed English language abstract.

Applicant requests that the following non-published pending applications be considered:

Examiner's  
Initials

---

U.S. Patent Application No. [ ], by [inventor(s)], filed [ ], Docket No.: [ ]

---

U.S. Patent Application No. [ ], by [inventor(s)], filed [ ], Docket No.: [ ]

---

U.S. Patent Application No. [ ], by [inventor(s)], filed [ ], Docket No.: [ ]

Examiner \_\_\_\_\_

Date \_\_\_\_\_

- A copy of each above-cited application, including the current claims, is enclosed.
- A copy of each above-cited application, including the current claims, is enclosed, except those entered in prior application, U.S. Application No. [ ], to which priority under 35 U.S.C. 120 is claimed.

The Examiner is requested to return a copy of the above list of pending applications indicating which references were considered with the next office communication.

It is requested that the information disclosed herein be made of record in this application.

Method of payment:

- A check for the fee noted above is enclosed, or the fee has been included in the check with the accompanying Reply. A copy of this Statement is enclosed.
- Please charge Deposit Account 08-0380 in the amount of \$[ ]. A copy of this Statement is enclosed.
- Please charge any deficiency in fees and credit any overpayment to Deposit Account 08-0380.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

*David E. Brook R.N. 22592*

By Elizabeth W. Mata

Elizabeth W. Mata  
Registration No.: 38,236  
Telephone: (978) 341-0036  
Facsimile: (978) 341-0136

Concord, MA 01742-9133

Dated: 1/10/02